

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

KENNETH E. ALSPAUGH,

Petitioner,

v.

SUPERIOR COURT OF CALIFORNIA, et  
al.,

Respondents.

No. 2:22-CV-0761-WBS-DMC

**FINDINGS AND RECOMMENDATIONS**

Petitioner, who is proceeding pro se, brings this petition for a writ of habeas corpus. On September 14, 2022, the Court dismissed Petitioner's petition and directed Petitioner to file an amended petition within 30 days. Petitioner was warned that failure to file an amended petition may result in dismissal of this action for lack of prosecution and failure to comply with court rules and orders. See Local Rule 110. To date, Petitioner has not complied.

///

///

///

///

///

///

1 Based on the foregoing, the undersigned recommends that this action be  
2 dismissed, without prejudice, for lack of prosecution and failure to comply with court rules and  
3 orders.

4 These findings and recommendations are submitted to the United States District  
5 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within 14 days  
6 after being served with these findings and recommendations, any party may file written  
7 objections with the court. Responses to objections shall be filed within 14 days after service of  
8 objections. Failure to file objections within the specified time may waive the right to appeal.  
9 See Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

10  
11 Dated: November 14, 2022



DENNIS M. COTA  
UNITED STATES MAGISTRATE JUDGE